A HUMAN RIGHTS PERSPECTIVE OF WITCH-HUNTING IN JHARKHAND: A CASE STUDY OF RANCHI DISTRICT

SYNOPSIS

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INTRODUCTION

“Branding of an individual as a witch and then resorting to witch-hunting is the most dehumanizing act and is the worst form of human rights violations.”(Bhim Turi v. State of Assam,2017)[1]. An age-old violation of Human Rights in the world is witch-hunting. “Witch-hunting cannot be explained without explaining the word ‘witchcraft’ which etymologically comprises ‘wicca’ and ‘craft’, meaning thereby the ability or skill possessed by witches.”(Dilts,2015)[2].Witch-hunting is an ancient evil which is based on irrational thinking based on superstitions. People from the community aimed at eliminating the so-called witches by holding them accountable for any misfortune in society. This evil of society can be linked with tradition and culture. Witch-hunt trials are inhuman and we should try and put an end on this evil practice.

In the contemporary world regardless of the class, age, nationality, race, gender, or caste of an individual, they are free to claim certain rights like rights to freedom, dignity, life, security, Freedom against exploitation, etc. Globally, the UN General Assembly has adopted the Universal Declaration of Human Rights (UDHR), which has set a baseline for all people and all nations. It condemns breach of Rights to individuals all across the globe.

“India reported 663 murders attributed to witch-hunting between 2015 and 2021.” (NCRB under the Union Home Ministry, India)[3].This comes to an average of 94 witch-hunting deaths every year. Madhya Pradesh, Jharkhand, Odisha, and Chattisgarh are the major contributors to the number. “From 2001-2016, Jharkhand has witnessed 523 cases of lynching of women by declaring them witches. Moreover 54 persons were killed in 2013 related to witch-hunting ." (Dey,2016)[4].In 2001, Jharkhand passed the in Prevention of Witch (DAAIN) Practices Act, 2001. According to its sections 3,4, and 5 any person who is involved in causing harm to any person by identifying her as Diaan, will have to compensate Rs 2000 or 6 months in prison or both. This act is merely an eyewash as the punishment that is provided is not satisfactory. “Cases of Witch-hunting continue to take place intermittently in rural Jharkhand despite the preventive measures taken by the administration. As many as 19 cases were registered in the state till October 2023”(TOI,2023)[5]. An editorial by Kelly Kislaya in First Post also articulated that, “In Ranchi district alone, 13 'witches' were murdered from 2016-2018; four in 2018, three in 2017 and six in 2016, in accordance to the monthly crime statistics of Jharkhand police. The number during the same period across the state’s 24 districts was 94. The combined data of NCRB and Jharkhand police reveals that 590 persons have been lynched in Jharkhand for supposedly practicing witchcraft during 2001-2018. The government has brought in Prevention Act, 2001 to specifically tackle the issue. However, the Act remains toothless with provision for minimal jail term and an inconsequential financial penalty.”(Kislaya,First Post 2013)[6].

On the global level, the UNHRC also recognizes Witch-hunt as a grievous breach of human rights, as it violates Article1,2,3,5 of the Declaration Of Human Rights that is set as a baseline of achievement for all peoples and all nations. Moreover “in 2021, during the 47th session of the HR Council, Member States adopted a resolution on the removal of harmful practices related to accusations of witchcraft and ritual attacks. This marks the initiation of its kind, calling for a more holistic approach in addressing harm resulting from accusations of witchcraft and ritual attacks.”(UNHRC)[7]

REVIEW OF LITERATURE

Mallick(2008)[8]in her paper '*Witch-hunting in 1857*'argued that this evil of society was present even before the 1857 revolt, as popularly mentioned by Shashank Sinha. She argues that the killing of men or women by declaring them a witch was personally motivated by reasons associated the economic or political gain of the culprits. She gave British records to prove that Witch-hunting existed in the Chotanagpur region even in the era of the Britishers. Atrocities against women were controversial for Adivasis, hence, some of them exhibited to curb this evil of society. They demanded state involvement for the safeguarding the vulnerable class.

Agrawal, A., & Mehra, M. (2014)[9]. '*Contemporary practices of witch-hunting: The report on social trends and the interface with law.'* This paper deals with the statistical data of atrocities against women in the province by declaring them a witch. By analysis of the given data, it can be concluded that witch-hunting is a communal evil that affects the lives of marginalized sections of society. This report provides data on court cases that were reported on Witch-hunting atrocities in the area of Jharkhand. The observation mentioned in the report reflects that women who belong to the lower class, illiterate, and are marginalized are the prime targets of the perpetrators. Data suggests that the state law which is the DIAAN Act 2001 is ineffective for the redressal of the problem. The report also gives a detailed analysis of the court cases regarding the same matter.

Rachana Shrestha in her research work '*Witch-hunting -A Study of Cultural Atrocities against women with reference to Nepal and India (ISS Netherlands)*'[10] has mentioned the violence that emerges against women originating from different levels such as structural, cultural, and individual. According to the paper, UNHRC has categorized witch hunting as a mode of abuse against women, In India being a member of UNHRC, stringent laws should be made to eliminate social evil. Although the country is a member, the case of this evil practice is at an alarming increase. She has analysed Witch-hunting with the gendered spectacles, accordingly, her writing has supported her view that witch-hunting is a gendered form of violence that targets only women. The paper also focuses on the secondary data of crime in India. The research was not able to answer the comparative questions about such cases in the country as it was primarily based on secondary data.

Aditya and Shamsher(2018)[11] in their article *'The Academic Journey of Witchcraft Studies in India',* they have analysed the historical aspect of the persecution of women on the grounds of being witches or practicing sorcery. The paper highlights the witch-hunting among different tribal communities in the country.

The paper also emphasizes the empirical data that shows the existence of this traditional evil custom in the First War of Independence in 1857 in India. It's generally referred to as "the first mass witch hunt among tribal communities" in the Santhal area. The paper also raises the issue of gender bias as women are the only group that is targeted by society for being witches. Additionally, those are identified as witches who are vulnerable or have no power in society. Several reasons are given to support the argument, like, single women who have no access, are targeted to grab their assets. The paper suggests some reformative actions like the sensitivity of police to matters like this, and awareness programs to make society understand the evil of witch related violations in India.

According to Sarkar(2020)[12], in his article '*Women Witch-Hunt Existing in Tribal Society in 21st Century:A case study of North Bengal*,' he mentioned Witch-hunting as a kind of violence against vulnerable women of the lower class. Societies that have little to no access to the most basic health care, sanitation, and education are prone to give rise to superstition. Death in the family, illness, and famine are some reasons why elderly women or single women are held responsible. Socio-economic factors like factors such as land-grabbing, and property disputes also play a great role the in promotion of killings of women.

Smith, J. (2022)[13],'*Witch-hunting in India: Causes, Justification, and Solutions*',this article discusses the ineffectiveness of legal remedies that are available for victims of witch-hunting in India. Many times the victims do not come forward to file a complaint because of public shaming, isolation, stigma, etc. The present laws also fail to provide any reparation to the victims. The apathy of the system to cope with such cases is also analysed in the article. It discusses the lack of national law regarding punishing the culprits of witch-hunting. The paper provides a solution to having a national law that has provisions for harsh penalty to the culprits whereas compensation, and rehabilitation for the victims. National law is pressing necessity to protect the basic rights of the victims.

RESEARCH GAP

Plentiful research projects have been conducted related to witch hunting in India along with few states in India . But a detailed analysis of the socio-psycho and politico-legal dynamics of witch-hunting in Jharkhand especially focusing on Ranchi district is yet to be conducted. Study which focuses on the cases of witch hunting in tribal and non tribal population in Ranchi district is also required. There is a requirement to analyse the current economic aspects which results to the evil practice of witch hunting in Ranchi district.

RESEARCH OBJECTIVES

- To analyse the extent in which cases of Witch-hunting is present in Ranchi district of Jharkhand.
- To investigate the status and impact of laws implemented by the state legislature in Jharkhand in relation to evil practice of witch-hunting in Ranchi district.
- To analyse the socio-economic conditions like literacy rate, economy, and social class of the area.
- To discover whether the number of cases of witch-hunting is higher in tribal population as compared to non tribal population of Ranchi district.

RESEACH HYPOTHESES

- Witch-hunting is prevalent in Ranchi district of Jharkhand and it has severe repercussions on Human Rights.
- Superstition plays a major role in promoting witch hunting in Ranchi district.

- Low literacy rate, lack of medical facilities, and lack of income leads to situations that lead to the evil practice of witch-hunting in Ranchi district.
- These cases occur more in tribal population as compared to non tribal population of Ranchi district.

RESEARCH METHODOLOGY

The research will rely on historical , descriptive and analytical methods. Orientation will be through fieldwork. Research will be determined on both primary and secondary data. The researcher will carry interviews with affected individuals, legal experts, and community members to gather more personal and social perspectives. Preparation of a questionnaire will be required to have an in-depth knowledge of the situation.

SIGNIFICANCE OF THE RESEARCH

The researcher aims to find the gap between the legislative policy and execution which will lead to recommendations for better policies to protect the individuals affected by witch-hunting. The main aim of the research is to promote awareness against the evil of witch-hunting in the society especially in Ranchi district of Jharkhand. Research will provide data regarding the number of victims in the area facilitating the governmental agencies to provide better rehabilitation to them.

This research will help in identifying the patterns of discrimination and violence which is faced by the marginalized sections especially women in the event of witch-hunting in Ranchi district. Research will aim to provide an understanding of the factors which leads to witch -hunting which can help to identify early warnings of the evil practice thereby adopting some preventive measures by the governmental agencies. Research will provide suggestions to the government for better policy formation and implementation regarding witch-hunting in Ranchi district of Jharkhand.

LIMITATIONS OF THE RESEARCH.

The subject of the proposed research is relatively less discussed politically as it relies on superstition. Statistically less data is available regarding brutality against women apart from murder, by referring to them as witches, especially for Jharkhand. Collecting data through personal interviews will be difficult as it is a very sensitive issue. Participants may tend to give manipulated answers because the issue is extremely sensitive in nature.

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CHAPTER 3- WITCH-HUNTING IN INDIA: PSYCHO-SOCIO-ECONOMIC AND POLITICO-LEGAL ANALYSIS

CHAPTER 4- WITCH-HUNTING IN JHARKHAND: PROBLEMS AND PROSPECTS

CHAPTER 5- HUMAN RIGHTS VIOLATION AND WITCH-HUNTING IN RANCHI DISTRICT OF JHARKHAND

CONCLUSION

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